

E-filed: August 4, 2023

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 Email: mdweinberg@cgsh.com

Attorneys for Genesis Global Holdco, LLC

UNITED STATES BANKRUPTCY COURT

DISTRICT OF NEVADA

In re

CASH CLOUD, INC., dba COIN CLOUD,

Debtor.

Case No. 23-10423-mkn

Chapter 11

CERTIFICATE OF SERVICE

I served true and correct copies of the following:

(1) *Notice of Issuance of Subpoena for Document Production on the 30(b)(6) of Cash Cloud, Inc., dba Coin Cloud* [ECF No; 1011];

(2) *Notice of Issuance of Subpoena for Document Production on Tanner James* [ECF No. 1012];

(3) *Notice of Issuance of Subpoena for Document Production on Province LLC* [ECF No.

1013];

(4) *Notice of Deposition of the 30(b)(6) of Cash Cloud, Inc., dba Coin Cloud* [ECF No; 1014];

(5) *Notice of Deposition of Tanner James* [ECF No; 1015];

(6) *Notice of Deposition of Province LLC* [ECF No; 1016]

for Snell & Wilmer L.L.P., attorneys for Genesis Global Holdco, LLC in the above matter, via the following means, on the date specified, to the persons as listed below:

VIA THE COURT'S CM/ECF SYSTEM (August 3, 2023):

See filing receipt for ECF No. 1011 attached as **Exhibit 1**.

See filing receipt for ECF No. 1012 attached as **Exhibit 2**.

See filing receipt for ECF No. 1013 attached as **Exhibit 3**.

See filing receipt for ECF No. 1014 attached as **Exhibit 4**.

See filing receipt for ECF No. 1015 attached as **Exhibit 5**.

See filing receipt for ECF No. 1016 attached as **Exhibit 6**.

VIA U.S. MAIL (postage fully pre-paid) (August 4, 2023):

STATE OF NEVADA
DEPT OF EMPLOYMENT, TRAINING & REHAB
EMPLOYMENT SECURITY DIVISION
500 E THIRD ST
CARSON CITY NV 89713-0001

INTERNAL REVENUE SERVICE
PO BOX 7346
PHILADELPHIA PA 19101-7346

NEVADA DEPT OF TAXATION
BANKRUPTCY SECTION
555 E WASHINGTON AVE #1300
LAS VEGAS NV 89101-1046

GENESIS GLOBAL TRADING INC
111 TOWN SQUARE PL STE 1203
JERSEY CITY NJ 07310

EG AMERICA LLC
165 FLANDERS RD
WESTBOROUGH MA 01581

1 ROBERT WESTERMANN ESQ
BRITTANY FALABELLA ESQ
2 HIRSCHLER FLEISCHER PC
2100 E CARY ST
3 RICHMOND VA 23223-7270
4 MATTHEW GRAVES ESQ
HODGES DOUGHTY & CARSON
5 617 MAIN ST
PO BOX 869
6 KNOXVILLE TN 37091
7 CRAIG DRUEHL ESQ
DECHERT LLP
8 THREE BRYANT PARK
1095 AVE OF THE AMERICAS
9 NEW YORK NY 10036
10 CRAIG P DRUEHL ESQ
DECHERT LLP
11 1095 AVE OF THE AMERICAS
NEW YORK NY 10036
12 CENNOX REACTIVE FIELD SERVICES
13 ATTN: MICHAEL GOGGANS
1341 W BATTLEFIELD RD STE 210
14 SPRINGFIELD MO 65807
15 PAUL R HAGE ESQ
RICHARD KRUGER ESQ
16 TAFT STETTINIUS AND HOLLISTER LLP
27777 FRANKLIN RD STE 2500
17 SOUTHFIELD MI 48034-8222
18 JOHN R ASHMEAD ESQ
ROBERT J GAYDA ESQ
19 CATHERINE V LOTEMPIO ESQ
ANDREW J MATOTT ESQ
20 LAURA MILLER ESQ
SEWARD & KISSEL LLP
21 ONE BATTERY PARK PLAZA
NEW YORK NY 10004-1485
22 YESWAY
23 138 CONANT ST STE 3
BEVERLY MA 01915
24 LOOMIS
25 DEPT 0757
PO BOX 120757
26 DALLAS TX 75312

27 ///

28 ///

1 AMERICAN EXPRESS
2 PO BOX 981535
3 EL PASO TX 79998
4
5 TWO FARMS INC
6 D/B/A ROYAL FARMS
7 3611 ROLAND AVE
8 BALTIMORE MD 21211
9
10 THORNTONS
11 2600 JAMES THORNTON WAY
12 LOUISVILLE KY 40245
13
14 ACE CASH EXPRESS
15 300 E JOHN CARPENTER FWY STE 900
16 HUNTINGTON PARK TX 75062
17
18 THE JIMMERSON LAW FIRM
19 415 S 6TH ST #100
20 LAS VEGAS NV 89101
21
22 SECTRAN SECURITY INC
23 PO BOX 227267
24 LOS ANGELES CA 90022
25
26 I HEART MEDIA
27 PO BOX 98849
28 CHICAGO IL 60693
29
30 SPEC'S – PARENT
31 1420 KINGWOOD DR
32 KINGWOOD TX 77339
33
34 DEPLOYMENT LOGIX INC
35 920 TWILIGHT PEAK AVE
36 HENDERSON NV 89012
37
38 JORDI GUSO ESQ
39 BERGER SINGERMANN LLP
40 1450 BRICKELL AVE STE 1900
41 MIAMI FL 33131-5319
42
43 ANDREW KISSNER ESQ
44 GARY LEE ESQ
45 MORRISON & FOERSTER LLP
46 250 W 55TH ST
47 NEW YORK NY 10019-0050
48
49 SHAWN CHRISTIANSON ESQ
50 BUCHALTER PC
51 425 MARKET ST STE 2900
52 SAN FRANCISCO CA 94105

///

SIMON PROPERTY GROUP INC
C/O RONALD M TUCKER ESQ
225 W WASHINGTON ST
INDIANAPOLIS IN 46204

PROVINCE LLC
2360 CORPORATE CIR STE 330
HENDERSON NV 89074

RONALD E GOLD ESQ
ERIN P SEVERINI ESQ
FROST BROWN TODD LLP
3300 GREAT AMERICAN TOWER
301 E FOURTH ST
CINCINNATI OH 45202

ADAM P SCHWARTZ ESQ
JOHN LAMOUREAUX ESQ
CARLTON FIELDS PA
4221 W BOY SCOUT BLVD STE 100
TAMPA FL 33607-5780

RYAN T SCHULTZ ESQ
FOX SWIBEL LEVIN & CARROLL LLP
200 W MADISON ST STE 3000
CHICAGO IL 60606-3417

TN DEPT OF REVENUE
C/O TN ATTORNEY GENERAL'S OFFICE, BANKRUPTCY DIVISION
PO BOX 20207
NASHVILLE TN 37202-0207

GEORGE R PITTS ESQ
BIRCH HORTON BITTNER & CHEROT PC
1150 CONNECTICUT AVE NW STE 350
WASHINGTON DC 20036

I declare under penalty of perjury that the foregoing is true and correct.

DATED this 4th day of August 2023.

/s/ Mary Full
An employee of Snell & Wilmer L.L.P.

EXHIBIT 1

EXHIBIT 1

E-filed: August 3, 2023

Robert R. Kinas (NV Bar No. 6019)
Charles E. Gianelloni (NV Bar No. 12747)
Alexis R. Wendl (NV Bar No. 15351)
SNELL & WILMER L.L.P.
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Telephone: (212) 225-2000
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Email: soneal@cgsh.com
Email: jvanlare@cgsh.com
Email: mdweinberg@cgsh.com

Attorneys for Genesis Global Holdco, LLC

UNITED STATES BANKRUPTCY COURT

DISTRICT OF NEVADA

In re

Case No. 23-10423-mkn

Chapter 11

CASH CLOUD, INC., dba COIN CLOUD,

Debtor.

**NOTICE OF ISSUANCE OF SUBPOENA
FOR DOCUMENT PRODUCTION ON THE
30(b)(6) OF CASH CLOUD, INC., DBA COIN
CLOUD**

TO: ALL INTERESTED PARTIES AND THEIR RESPECTIVE COUNSEL:

PLEASE TAKE NOTICE that pursuant to Fed. R. Civ. P. 45(a)(4), Snell & Wilmer L.L.P., attorneys for Genesis Global Holdco, LLC, intends to serve a subpoena to produce documents on the **30(b)(6) OF CASH CLOUD, INC., DBA COIN CLOUD** in the form attached

as **Exhibit 1.**

DATED this 3rd day of August 2023.

SNELL & WILMER L.L.P.

/s/ Robert R. Kinas

Robert R. Kinas (NV Bar No. 6019)
Charles E. Gianelloni (NV Bar No. 12747)
Alexis R. Wendl (NV Bar No. 15351)
3883 Howard Hughes Parkway, Suite 1100
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and

Sean A. O'Neal (NY Bar No. 3979267)
Admitted Pro Hac Vice
Jane VanLare (NY Bar No. 4610655)
Admitted Pro Hac Vice
Michael Weinberg (NY Bar No. 5724497)
Admitted Pro Hac Vice
CLEARY GOTTlieb STEEN & HAMILTON LLP
One Liberty Plaza
New York, NY 10006
Telephone: (212) 225-2000
Facsimile: (212) 225-3999

Attorneys for Genesis Global Holdco, LLC

Snell & Wilmer

L.L.P.
LAW OFFICES
3883 Howard Hughes Parkway, Suite 1100
Las Vegas, Nevada 89169
702.784.5200

EXHIBIT 1

EXHIBIT 1

UNITED STATES BANKRUPTCY COURT

District of NEVADA

In re Cash Cloud, Inc. dba Coin Cloud,

Case No. 23-10423-mkn

Chapter 11

Debtor.

SUBPOENA TO PRODUCE DOCUMENTS, INFORMATION, OR OBJECTS OR TO PERMIT INSPECTION OF PREMISES IN A BANKRUPTCY CASE (OR ADVERSARY PROCEEDING)

To: Cash Cloud, Inc. dba Coin Cloud, c/o Brett A. Axelrod, Esq., Fox Rothschild LLP, 1980 Festival Plaza Drive, Suite 700, Las Vegas, NV 89135; Email: baxelrod@foxrothschild.com

☒ **Production:** **YOU ARE COMMANDED** to produce at the time, date, and place set forth below the following documents, electronically stored information, or objects, and must permit inspection, copying, testing, or sampling of the material:

See Exhibit A

PLACE Snell & Wilmer L.L.P. Attn: Robert R. Kinas, Esq. 3883 Howard Hughes Parkway, Suite 1100 Las Vegas, NV 89169	DATE AND TIME August 17, 2023 at 5:00 p.m.
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☐ **Inspection of Premises:** **YOU ARE COMMANDED** to permit entry onto the designated premises, land, or other property possessed or controlled by you at the time, date, and location set forth below, so that the requesting party may inspect, measure, survey, photograph, test, or sample the property or any designated object or operation on it.

PLACE	DATE AND TIME
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The following provisions of Fed. R. Civ. P. 45, made applicable in bankruptcy cases by Fed. R. Bankr. P. 9016, are attached – Rule 45(c), relating to the place of compliance; Rule 45(d), relating to your protection as a person subject to a subpoena; and Rule 45(e) and 45(g), relating to your duty to respond to this subpoena and the potential consequences of not doing so.

Date: August 3, 2023

CLERK OF COURT

Signature of Clerk or Deputy Clerk

OR

/s/ Robert R. Kinas
Attorney's signature

The name, address, email address, and telephone number of the attorney representing Rep-Clark, LLC, who issues or requests this subpoena, are:

Robert R. Kinas, Esq., Snell & Wilmer L.L.P., 3883 Howard Hughes Parkway #1100, Las Vegas, NV 89169; Phone: (702) 784-5200; rkinas@swlaw.com

Notice to the person who issues or requests this subpoena

If this subpoena commands the production of documents, electronically stored information, or tangible things, or the inspection of premises before trial, a notice and a copy of this subpoena must be served on each party before it is served on the person to whom it is directed. Fed. R. Civ. P. 45(a)(4).

PROOF OF SERVICE

(This section should not be filed with the court unless required by Fed. R. Civ. P. 45.)

I received this subpoena for *(name of individual and title, if any)*: _____ on
(date) _____.

☐ I served the subpoena by delivering a copy to the named person as follows: _____

_____ on *(date)* _____; or

☐ I returned the subpoena unexecuted because: _____

Unless the subpoena was issued on behalf of the United States, or one of its officers or agents, I have also tendered to the witness the fees for one day's attendance, and the mileage allowed by law, in the amount of \$_____.

My fees are \$_____ for travel and \$_____ for services, for a total of \$_____.

I declare under penalty of perjury that this information is true and correct.

Date: _____

Server's signature

Printed name and title

Server's address

Additional information concerning attempted service, etc.:

Federal Rule of Civil Procedure 45(c), (d), (e), and (g) (Effective 12/1/13)
(made applicable in bankruptcy cases by Rule 9016, Federal Rules of Bankruptcy Procedure)

(c) Place of compliance.

(1) *For a Trial, Hearing, or Deposition.* A subpoena may command a person to attend a trial, hearing, or deposition only as follows:

- (A) within 100 miles of where the person resides, is employed, or regularly transacts business in person; or
- (B) within the state where the person resides, is employed, or regularly transacts business in person, if the person
 - (i) is a party or a party's officer; or
 - (ii) is commanded to attend a trial and would not incur substantial expense.

(2) *For Other Discovery.* A subpoena may command:

- (A) production of documents, or electronically stored information, or things at a place within 100 miles of where the person resides, is employed, or regularly transacts business in person; and
- (B) inspection of premises, at the premises to be inspected.

(d) Protecting a Person Subject to a Subpoena; Enforcement.

(1) *Avoiding Undue Burden or Expense; Sanctions.* A party or attorney responsible for issuing and serving a subpoena must take reasonable steps to avoid imposing undue burden or expense on a person subject to the subpoena. The court for the district where compliance is required must enforce this duty and impose an appropriate sanction – which may include lost earnings and reasonable attorney's fees – on a party or attorney who fails to comply.

(2) *Command to Produce Materials or Permit Inspection.*

(A) *Appearance Not Required.* A person commanded to produce documents, electronically stored information, or tangible things, or to permit the inspection of premises, need not appear in person at the place of production or inspection unless also commanded to appear for a deposition, hearing, or trial.

(B) *Objections.* A person commanded to produce documents or tangible things or to permit inspection may serve on the party or attorney designated in the subpoena a written objection to inspecting, copying, testing or sampling any or all of the materials or to inspecting the premises – or to producing electronically stored information in the form or forms requested. The objection must be served before the earlier of the time specified for compliance or 14 days after the subpoena is served. If an objection is made, the following rules apply:

- (i) At any time, on notice to the commanded person, the servicing party may move the court for the district where compliance is required for an order compelling production or inspection.
- (ii) These acts may be required only as directed in the order, and the order must protect a person who is neither a party nor a party's officer from significant expense resulting from compliance.

(3) *Quashing or Modifying a Subpoena.*

(A) *When Required.* On timely motion, the court for the district where compliance is required must quash or modify a subpoena that:

- (i) fails to allow a reasonable time to comply;
- (ii) requires a person to comply beyond the geographical limits specified in Rule 45(c);
- (iii) requires disclosure of privileged or other protected matter, if no exception or waiver applies; or
- (iv) subjects a person to undue burden.

(B) *When Permitted.* To protect a person subject to or affected by a subpoena, the court for the district where compliance is required may, on motion, quash or modify the subpoena if it requires:

- (i) disclosing a trade secret or other confidential research, development, or commercial information; or

- (ii) disclosing an unretained expert's opinion or information that does not describe specific occurrences in dispute and results from the expert's study that was not requested by a party.

(C) *Specifying Conditions as an Alternative.* In the circumstances described in Rule 45(d)(3)(B), the court may, instead of quashing or modifying a subpoena, order appearance or production under specified conditions if the serving party:

- (i) shows a substantial need for the testimony or material that cannot be otherwise met without undue hardship; and
- (ii) ensures that the subpoenaed person will be reasonably compensated.

(e) Duties in Responding to a Subpoena.

(1) *Producing Documents or Electronically Stored Information.* These procedures apply to producing documents or electronically stored information:

(A) *Documents.* A person responding to a subpoena to produce documents must produce them as they are kept in the ordinary course of business or must organize and label them to correspond to the categories in the demand.

(B) *Form for Producing Electronically Stored Information Not Specified.* If a subpoena does not specify a form for producing electronically stored information, the person responding must produce it in a form or forms in which it is ordinarily maintained or in a reasonably usable form or forms.

(C) *Electronically Stored Information Produced in Only One Form.* The person responding need not produce the same electronically stored information in more than one form.

(D) *Inaccessible Electronically Stored Information.* The person responding need not provide discovery of electronically stored information from sources that the person identifies as not reasonably accessible because of undue burden or cost. On motion to compel discovery or for a protective order, the person responding must show that the information is not reasonably accessible because of undue burden or cost. If that showing is made, the court may nonetheless order discovery from such sources if the requesting party shows good cause, considering the limitations of Rule 26(b)(2)(C). The court may specify conditions for the discovery.

(2) *Claiming Privilege or Protection.*

(A) *Information Withheld.* A person withholding subpoenaed information under a claim that it is privileged or subject to protection as trial-preparation material must:

- (i) expressly make the claim; and
- (ii) describe the nature of the withheld documents, communications, or tangible things in a manner that, without revealing information itself privileged or protected, will enable the parties to assess the claim.

(B) *Information Produced.* If information produced in response to a subpoena is subject to a claim of privilege or of protection as trial-preparation material, the person making the claim may notify any party that received the information of the claim and the basis for it. After being notified, a party must promptly return, sequester, or destroy the specified information and any copies it has; must not use or disclose the information until the claim is resolved; must take reasonable steps to retrieve the information if the party disclosed it before being notified; and may promptly present the information under seal to the court for the district where compliance is required for a determination of the claim. The person who produced the information must preserve the information until the claim is resolved.

...

(g) **Contempt.** The court for the district where compliance is required – and also, after a motion is transferred, the issuing court – may hold in contempt a person who, having been served, fails without adequate excuse to obey the subpoena or an order related to it.

EXHIBIT A (DEBTOR)

DEFINITIONS

1. “Bankruptcy Case” means *In re Cash Cloud, Inc. dba Coin Cloud*, United States Bankruptcy Court for the District of Nevada, Case No. 23-10423-mkn.
2. “Communication” or “communications” refer to both oral and written communications and means all conversations, presentations, discussions, speeches, meetings, telephone calls, documents, writings, electronic mailings or messages and all other means by which information, data, language, or documents are transmitted, passed, or otherwise conveyed from one or more persons or entities to one or more other persons or entities.
3. “Debtor” means Cash Cloud Inc. dba Coin Cloud.
4. “Document” or “documents” are used herein in their customary broad sense, and mean any kind of printed, recorded, written, graphic, or photographic matter (including tape recordings), however printed, produced, reproduced, coded or stored, of any kind of description, whether sent or received, or not, including originals, copies, reproductions, facsimiles, drafts, and both sides thereof, and including without limitation, papers, books, accounts, ledgers, journals, books or memoranda, telegrams, cables, wire transfers, notes, notations, work papers, inter and intra-office communications to, between or among directors, officers, agents or employees, transcripts, minutes, reports, and recordings of telephone or other conversations or of interviews or of conferences, or of committee meetings, or of other meetings, agreements, contracts, invoices, statistical records, data sheets, computer tapes or disks, magnetic tapes, punch cards, computer printouts, computer programs, computer program coding sheets, microfilms, microfiche, websites, all other records kept by electronic, photographic or mechanical means, and things similar to any of the foregoing, regardless of their author or origin, of any kind.
5. “Genesis” means Genesis Global Holdco, LLC.
6. “Person” means refers to any natural individual, governmental entity, or business entity, including a corporation, partnership, association, limited liability company, or other entity or combination thereof, and all corporations, divisions, or entities affiliated with, owned, or

controlled directly or indirectly or owning or controlling directly or indirectly any such entities as well as directors, officers, employees, agents, attorneys, affiliates, or other representatives thereof, or third parties retained by any of the above.

7. “Representative” means any and all agents, employees, officers, directors, attorneys, or other persons acting or purporting to act on behalf of the person or entity in question.

8. “Surcharge Analysis” is that certain document entitled “7.10.23 Coin Cloud – 506(c) Surcharge Analysis” sent on behalf of the Debtor to counsel for Genesis via email on July 10, 2023.

9. “Sale Proceeds Analysis” means that certain document entitled “7.26.23 Coin Cloud – Preliminary Sale Analysis vSHARE-C” sent on behalf of Debtor to counsel for Genesis via email on July 26, 2023.

10. “You” and “your” mean Debtor, including its employees, directors, officers, agents, subsidiaries, affiliates, parent company, and other persons acting on or purporting to act on its behalf, including its Representatives.

DOCUMENTS TO BE PRODUCED

1. Produce all Documents and Communications between You and any Person regarding the Surcharge Analysis.

2. Produce all Documents and Communications between You and any Person regarding the Sale Proceeds Analysis.

3. Produce all Documents relating to any assessment, evaluation, or analysis of any benefit (including as such term is used in section 506(c) of the United States Bankruptcy Code) obtained by Genesis as a result of the costs proposed to be surcharged as set forth in the Surcharge Analysis.

4. Produce all Documents relating to any assessment, evaluation, or analysis of any benefit (including as such term is used in section 506(c) of the United States Bankruptcy Code)

obtained by Genesis as a result of the costs proposed to be surcharged as set forth in the Sale Proceeds Analysis.

5. Produce all Documents relating to any assessment, evaluation, or analysis of the necessity of the costs proposed to be surcharged as set forth in the Surcharge Analysis.

6. Produce all Documents relating to any assessment, evaluation, or analysis of the necessity of the costs proposed to be surcharged as set forth in the Sale Proceeds Analysis.

7. Produce all Documents relating to any assessment, evaluation, or analysis of the reasonableness of the costs proposed to be surcharged as set forth in the Surcharge Analysis.

8. Produce all Documents relating to any assessment, evaluation, or analysis of the reasonableness of the costs proposed to be surcharged as set forth in the Sale Proceeds Analysis.

9. Produce all Documents relating to draft versions of the Surcharge Analysis, including Communications concerning any proposed revisions thereto.

10. Produce all Documents relating to draft versions of the Sale Proceeds Analysis, including Communications concerning any proposed revisions thereto.

11. Produce all Documents relating to the reasons for including a downward adjustment to the sale proceeds for adequate protection reserves in the Sale Proceeds Analysis.

EXHIBIT 2

EXHIBIT 2

E-filed: August 3, 2023

Robert R. Kinas (NV Bar No. 6019)
 Charles E. Gianelloni (NV Bar No. 12747)
 Alexis R. Wendl (NV Bar No. 15351)
 SNELL & WILMER L.L.P.
 3883 Howard Hughes Parkway, Suite 1100
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 Facsimile: (702) 784-5252
 Email: rkinas@swlaw.com
cgianelloni@swlaw.com
awendl@swlaw.com

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 Michael Weinberg (NY Bar No. 5724497)
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 Telephone: (212) 225-2000
 Facsimile: (212) 225-3999
 Email: soneal@cgsh.com
 Email: jvanlare@cgsh.com
 Email: mdweinberg@cgsh.com

Attorneys for Genesis Global Holdco, LLC

UNITED STATES BANKRUPTCY COURT

DISTRICT OF NEVADA

In re

Case No. 23-10423-mkn

CASH CLOUD, INC., dba COIN CLOUD,

Chapter 11

Debtor.

**NOTICE OF ISSUANCE OF SUBPOENA
 FOR DOCUMENT PRODUCTION ON
 TANNER JAMES**

TO: ALL INTERESTED PARTIES AND THEIR RESPECTIVE COUNSEL:

PLEASE TAKE NOTICE that pursuant to Fed. R. Civ. P. 45(a)(4), Snell & Wilmer L.L.P., attorneys for Genesis Global Holdco, LLC, intends to serve a subpoena to produce documents on **TANNER JAMES** in the form attached as **Exhibit 1**.

1 DATED this 3rd day of August 2023.

2 SNELL & WILMER L.L.P.

3 /s/ Robert R. Kinas

4 Robert R. Kinas (NV Bar No. 6019)
5 Charles E. Gianelloni (NV Bar No. 12747)
6 Alexis R. Wendl (NV Bar No. 15351)
7 3883 Howard Hughes Parkway, Suite 1100
8 Las Vegas, NV 89169
9 Telephone: (702) 784-5200
10 Facsimile: (702) 784-5252

11 and

12 Sean A. O'Neal (NY Bar No. 3979267)
13 *Admitted Pro Hac Vice*
14 Jane VanLare (NY Bar No. 4610655)
15 *Admitted Pro Hac Vice*
16 Michael Weinberg (NY Bar No. 5724497)
17 *Admitted Pro Hac Vice*
18 CLEARY GOTTlieb STEEN & HAMILTON LLP
19 One Liberty Plaza
20 New York, NY 10006
21 Telephone: (212) 225-2000
22 Facsimile: (212) 225-3999

23 *Attorneys for Genesis Global Holdco, LLC*

Snell & Wilmer

L.L.P.
LAW OFFICES
3883 Howard Hughes Parkway, Suite 1100
Las Vegas, Nevada 89169
702.784.5200

EXHIBIT 1

EXHIBIT 1

UNITED STATES BANKRUPTCY COURT

District of NEVADA

In re Cash Cloud, Inc. dba Coin Cloud,

Case No. 23-10423-mkn

Chapter 11

Debtor.

SUBPOENA TO PRODUCE DOCUMENTS, INFORMATION, OR OBJECTS OR TO PERMIT INSPECTION OF PREMISES IN A BANKRUPTCY CASE (OR ADVERSARY PROCEEDING)

To: Tanner James, c/o David W. Dachelet, Esq., 2360 Corporate Circle, Suite 330, Henderson, NV 89074; Email: ddachelet@provincefirm.com

☒ **Production:** **YOU ARE COMMANDED** to produce at the time, date, and place set forth below the following documents, electronically stored information, or objects, and must permit inspection, copying, testing, or sampling of the material:

See Exhibit A

PLACE Snell & Wilmer L.L.P. Attn: Robert R. Kinas, Esq. 3883 Howard Hughes Parkway, Suite 1100 Las Vegas, NV 89169	DATE AND TIME August 17, 2023 at 5:00 p.m.
--	---

☐ **Inspection of Premises:** **YOU ARE COMMANDED** to permit entry onto the designated premises, land, or other property possessed or controlled by you at the time, date, and location set forth below, so that the requesting party may inspect, measure, survey, photograph, test, or sample the property or any designated object or operation on it.

PLACE	DATE AND TIME
-------	---------------

The following provisions of Fed. R. Civ. P. 45, made applicable in bankruptcy cases by Fed. R. Bankr. P. 9016, are attached – Rule 45(c), relating to the place of compliance; Rule 45(d), relating to your protection as a person subject to a subpoena; and Rule 45(e) and 45(g), relating to your duty to respond to this subpoena and the potential consequences of not doing so.

Date: August 3, 2023

CLERK OF COURT

Signature of Clerk or Deputy Clerk

OR

/s/ Robert R. Kinas
Attorney's signature

The name, address, email address, and telephone number of the attorney representing Rep-Clark, LLC, who issues or requests this subpoena, are:

Robert R. Kinas, Esq., Snell & Wilmer L.L.P., 3883 Howard Hughes Parkway #1100, Las Vegas, NV 89169; Phone: (702) 784-5200; rkinas@swlaw.com

Notice to the person who issues or requests this subpoena

If this subpoena commands the production of documents, electronically stored information, or tangible things, or the inspection of premises before trial, a notice and a copy of this subpoena must be served on each party before it is served on the person to whom it is directed. Fed. R. Civ. P. 45(a)(4).

PROOF OF SERVICE

(This section should not be filed with the court unless required by Fed. R. Civ. P. 45.)

I received this subpoena for *(name of individual and title, if any)*: _____ on
(date) _____.

☐ I served the subpoena by delivering a copy to the named person as follows: _____

_____ on *(date)* _____; or

☐ I returned the subpoena unexecuted because: _____

Unless the subpoena was issued on behalf of the United States, or one of its officers or agents, I have also tendered to the witness the fees for one day's attendance, and the mileage allowed by law, in the amount of \$_____.

My fees are \$_____ for travel and \$_____ for services, for a total of \$_____.

I declare under penalty of perjury that this information is true and correct.

Date: _____

Server's signature

Printed name and title

Server's address

Additional information concerning attempted service, etc.:

Federal Rule of Civil Procedure 45(c), (d), (e), and (g) (Effective 12/1/13)
(made applicable in bankruptcy cases by Rule 9016, Federal Rules of Bankruptcy Procedure)

(c) Place of compliance.

(1) *For a Trial, Hearing, or Deposition.* A subpoena may command a person to attend a trial, hearing, or deposition only as follows:

- (A) within 100 miles of where the person resides, is employed, or regularly transacts business in person; or
- (B) within the state where the person resides, is employed, or regularly transacts business in person, if the person
 - (i) is a party or a party's officer; or
 - (ii) is commanded to attend a trial and would not incur substantial expense.

(2) *For Other Discovery.* A subpoena may command:

- (A) production of documents, or electronically stored information, or things at a place within 100 miles of where the person resides, is employed, or regularly transacts business in person; and
- (B) inspection of premises, at the premises to be inspected.

(d) Protecting a Person Subject to a Subpoena; Enforcement.

(1) *Avoiding Undue Burden or Expense; Sanctions.* A party or attorney responsible for issuing and serving a subpoena must take reasonable steps to avoid imposing undue burden or expense on a person subject to the subpoena. The court for the district where compliance is required must enforce this duty and impose an appropriate sanction – which may include lost earnings and reasonable attorney's fees – on a party or attorney who fails to comply.

(2) *Command to Produce Materials or Permit Inspection.*

(A) *Appearance Not Required.* A person commanded to produce documents, electronically stored information, or tangible things, or to permit the inspection of premises, need not appear in person at the place of production or inspection unless also commanded to appear for a deposition, hearing, or trial.

(B) *Objections.* A person commanded to produce documents or tangible things or to permit inspection may serve on the party or attorney designated in the subpoena a written objection to inspecting, copying, testing or sampling any or all of the materials or to inspecting the premises – or to producing electronically stored information in the form or forms requested. The objection must be served before the earlier of the time specified for compliance or 14 days after the subpoena is served. If an objection is made, the following rules apply:

- (i) At any time, on notice to the commanded person, the servicing party may move the court for the district where compliance is required for an order compelling production or inspection.
- (ii) These acts may be required only as directed in the order, and the order must protect a person who is neither a party nor a party's officer from significant expense resulting from compliance.

(3) *Quashing or Modifying a Subpoena.*

(A) *When Required.* On timely motion, the court for the district where compliance is required must quash or modify a subpoena that:

- (i) fails to allow a reasonable time to comply;
- (ii) requires a person to comply beyond the geographical limits specified in Rule 45(c);
- (iii) requires disclosure of privileged or other protected matter, if no exception or waiver applies; or
- (iv) subjects a person to undue burden.

(B) *When Permitted.* To protect a person subject to or affected by a subpoena, the court for the district where compliance is required may, on motion, quash or modify the subpoena if it requires:

- (i) disclosing a trade secret or other confidential research, development, or commercial information; or

- (ii) disclosing an unretained expert's opinion or information that does not describe specific occurrences in dispute and results from the expert's study that was not requested by a party.

(C) *Specifying Conditions as an Alternative.* In the circumstances described in Rule 45(d)(3)(B), the court may, instead of quashing or modifying a subpoena, order appearance or production under specified conditions if the serving party:

- (i) shows a substantial need for the testimony or material that cannot be otherwise met without undue hardship; and
- (ii) ensures that the subpoenaed person will be reasonably compensated.

(e) Duties in Responding to a Subpoena.

(1) *Producing Documents or Electronically Stored Information.* These procedures apply to producing documents or electronically stored information:

(A) *Documents.* A person responding to a subpoena to produce documents must produce them as they are kept in the ordinary course of business or must organize and label them to correspond to the categories in the demand.

(B) *Form for Producing Electronically Stored Information Not Specified.* If a subpoena does not specify a form for producing electronically stored information, the person responding must produce it in a form or forms in which it is ordinarily maintained or in a reasonably usable form or forms.

(C) *Electronically Stored Information Produced in Only One Form.* The person responding need not produce the same electronically stored information in more than one form.

(D) *Inaccessible Electronically Stored Information.* The person responding need not provide discovery of electronically stored information from sources that the person identifies as not reasonably accessible because of undue burden or cost. On motion to compel discovery or for a protective order, the person responding must show that the information is not reasonably accessible because of undue burden or cost. If that showing is made, the court may nonetheless order discovery from such sources if the requesting party shows good cause, considering the limitations of Rule 26(b)(2)(C). The court may specify conditions for the discovery.

(2) *Claiming Privilege or Protection.*

(A) *Information Withheld.* A person withholding subpoenaed information under a claim that it is privileged or subject to protection as trial-preparation material must:

- (i) expressly make the claim; and
- (ii) describe the nature of the withheld documents, communications, or tangible things in a manner that, without revealing information itself privileged or protected, will enable the parties to assess the claim.

(B) *Information Produced.* If information produced in response to a subpoena is subject to a claim of privilege or of protection as trial-preparation material, the person making the claim may notify any party that received the information of the claim and the basis for it. After being notified, a party must promptly return, sequester, or destroy the specified information and any copies it has; must not use or disclose the information until the claim is resolved; must take reasonable steps to retrieve the information if the party disclosed it before being notified; and may promptly present the information under seal to the court for the district where compliance is required for a determination of the claim. The person who produced the information must preserve the information until the claim is resolved.

...

(g) **Contempt.** The court for the district where compliance is required – and also, after a motion is transferred, the issuing court – may hold in contempt a person who, having been served, fails without adequate excuse to obey the subpoena or an order related to it.

EXHIBIT A (TANNER JAMES)

DEFINITIONS

1. “Bankruptcy Case” means *In re Cash Cloud, Inc. dba Coin Cloud*, United States Bankruptcy Court for the District of Nevada, Case No. 23-10423-mkn.
2. “Communication” or “communications” refer to both oral and written communications and means all conversations, presentations, discussions, speeches, meetings, telephone calls, documents, writings, electronic mailings or messages and all other means by which information, data, language, or documents are transmitted, passed, or otherwise conveyed from one or more persons or entities to one or more other persons or entities.
3. “Debtor” means Cash Cloud Inc. dba Coin Cloud.
4. “Document” or “documents” are used herein in their customary broad sense, and mean any kind of printed, recorded, written, graphic, or photographic matter (including tape recordings), however printed, produced, reproduced, coded or stored, of any kind of description, whether sent or received, or not, including originals, copies, reproductions, facsimiles, drafts, and both sides thereof, and including without limitation, papers, books, accounts, ledgers, journals, books or memoranda, telegrams, cables, wire transfers, notes, notations, work papers, inter and intra-office communications to, between or among directors, officers, agents or employees, transcripts, minutes, reports, and recordings of telephone or other conversations or of interviews or of conferences, or of committee meetings, or of other meetings, agreements, contracts, invoices, statistical records, data sheets, computer tapes or disks, magnetic tapes, punch cards, computer printouts, computer programs, computer program coding sheets, microfilms, microfiche, websites, all other records kept by electronic, photographic or mechanical means, and things similar to any of the foregoing, regardless of their author or origin, of any kind.
5. “Genesis” means Genesis Global Holdco, LLC.
6. “Person” means refers to any natural individual, governmental entity, or business entity, including a corporation, partnership, association, limited liability company, or other entity or combination thereof, and all corporations, divisions, or entities affiliated with, owned, or

controlled directly or indirectly or owning or controlling directly or indirectly any such entities as well as directors, officers, employees, agents, attorneys, affiliates, or other representatives thereof, or third parties retained by any of the above.

7. “Representative” means any and all agents, employees, officers, directors, attorneys, or other persons acting or purporting to act on behalf of the person or entity in question.

8. “Surcharge Analysis” is that certain document entitled “7.10.23 Coin Cloud – 506(c) Surcharge Analysis” sent on behalf of the Debtor to counsel for Genesis via email on July 10, 2023.

9. “Sale Proceeds Analysis” means that certain document entitled “7.26.23 Coin Cloud – Preliminary Sale Analysis vSHARE-C” sent on behalf of Debtor to counsel for Genesis via email on July 26, 2023.

10. “You” and “your” mean Tanner James.

DOCUMENTS TO BE PRODUCED

1. Produce all Documents and Communications between You and any Person regarding the Surcharge Analysis.

2. Produce all Documents and Communications between You and any Person regarding the Sale Proceeds Analysis.

3. Produce all Documents relating to any assessment, evaluation, or analysis of any benefit (including as such term is used in section 506(c) of the United States Bankruptcy Code) obtained by Genesis as a result of the costs proposed to be surcharged as set forth in the Surcharge Analysis.

4. Produce all Documents relating to any assessment, evaluation, or analysis of any benefit (including as such term is used in section 506(c) of the United States Bankruptcy Code) obtained by Genesis as a result of the costs proposed to be surcharged as set forth in the Sale Proceeds Analysis.

5. Produce all Documents relating to any assessment, evaluation, or analysis of the necessity of the costs proposed to be surcharged as set forth in the Surcharge Analysis.
6. Produce all Documents relating to any assessment, evaluation, or analysis of the necessity of the costs proposed to be surcharged as set forth in the Sale Proceeds Analysis.
7. Produce all Documents relating to any assessment, evaluation, or analysis of the reasonableness of the costs proposed to be surcharged as set forth in the Surcharge Analysis.
8. Produce all Documents relating to any assessment, evaluation, or analysis of the reasonableness of the costs proposed to be surcharged as set forth in the Sale Proceeds Analysis.
9. Produce all Documents relating to draft versions of the Surcharge Analysis, including Communications concerning any proposed revisions thereto.
10. Produce all Documents relating to draft versions of the Sale Proceeds Analysis, including Communications concerning any proposed revisions thereto.
11. Produce all Documents relating to the reasons for including a downward adjustment to the sale proceeds for adequate protection reserves in the Sale Proceeds Analysis.

EXHIBIT 3

EXHIBIT 3

E-filed: August 3, 2023

Robert R. Kinas (NV Bar No. 6019)
 Charles E. Gianelloni (NV Bar No. 12747)
 Alexis R. Wendl (NV Bar No. 15351)
 SNELL & WILMER L.L.P.
 3883 Howard Hughes Parkway, Suite 1100
 Las Vegas, NV 89169
 Telephone: (702) 784-5200
 Facsimile: (702) 784-5252
 Email: rkinas@swlaw.com
cgianelloni@swlaw.com
awendl@swlaw.com

Sean A. O'Neal (NY Bar No. 3979267)
Admitted Pro Hac Vice
 Jane VanLare (NY Bar No. 4610655)
Admitted Pro Hac Vice
 Michael Weinberg (NY Bar No. 5724497)
Admitted Pro Hac Vice
 CLEARY GOTTlieb STEEN & HAMILTON LLP
 One Liberty Plaza
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 Telephone: (212) 225-2000
 Facsimile: (212) 225-3999
 Email: soneal@cgsh.com
 Email: jvanlare@cgsh.com
 Email: mdweinberg@cgsh.com

Attorneys for Genesis Global Holdco, LLC

UNITED STATES BANKRUPTCY COURT

DISTRICT OF NEVADA

In re

Case No. 23-10423-mkn

CASH CLOUD, INC., dba COIN CLOUD,

Chapter 11

Debtor.

**NOTICE OF ISSUANCE OF SUBPOENA
 FOR DOCUMENT PRODUCTION ON
 PROVINCE LLC**

TO: ALL INTERESTED PARTIES AND THEIR RESPECTIVE COUNSEL:

PLEASE TAKE NOTICE that pursuant to Fed. R. Civ. P. 45(a)(4), Snell & Wilmer L.L.P., attorneys for Genesis Global Holdco, LLC, intends to serve a subpoena to produce documents on **PROVINCE LLC** in the form attached as **Exhibit 1**.

1 DATED this 3rd day of August 2023.

2 SNELL & WILMER L.L.P.

3 /s/ Robert R. Kinas

4 Robert R. Kinas (NV Bar No. 6019)
5 Charles E. Gianelloni (NV Bar No. 12747)
6 Alexis R. Wendl (NV Bar No. 15351)
7 3883 Howard Hughes Parkway, Suite 1100
8 Las Vegas, NV 89169
9 Telephone: (702) 784-5200
10 Facsimile: (702) 784-5252

11 and

12 Sean A. O'Neal (NY Bar No. 3979267)
13 *Admitted Pro Hac Vice*
14 Jane VanLare (NY Bar No. 4610655)
15 *Admitted Pro Hac Vice*
16 Michael Weinberg (NY Bar No. 5724497)
17 *Admitted Pro Hac Vice*
18 CLEARY GOTTlieb STEEN & HAMILTON LLP
19 One Liberty Plaza
20 New York, NY 10006
21 Telephone: (212) 225-2000
22 Facsimile: (212) 225-3999

23 *Attorneys for Genesis Global Holdco, LLC*

Snell & Wilmer

L.L.P.
LAW OFFICES
3883 Howard Hughes Parkway, Suite 1100
Las Vegas, Nevada 89169
702.784.5200

EXHIBIT 1

EXHIBIT 1

UNITED STATES BANKRUPTCY COURT

District of NEVADA

In re Cash Cloud, Inc. dba Coin Cloud,

Case No. 23-10423-mkn

Chapter 11

Debtor.

SUBPOENA TO PRODUCE DOCUMENTS, INFORMATION, OR OBJECTS OR TO PERMIT INSPECTION OF PREMISES IN A BANKRUPTCY CASE (OR ADVERSARY PROCEEDING)

To: Province, LLC, c/o David W. Dachelet, Esq., 2360 Corporate Circle, Suite 330, Henderson, NV 89074; Email: ddachelet@provincefirm.com

☒ **Production:** **YOU ARE COMMANDED** to produce at the time, date, and place set forth below the following documents, electronically stored information, or objects, and must permit inspection, copying, testing, or sampling of the material:

See Exhibit A

PLACE Snell & Wilmer L.L.P. Attn: Robert R. Kinas, Esq. 3883 Howard Hughes Parkway, Suite 1100 Las Vegas, NV 89169	DATE AND TIME August 17, 2023 at 5:00 p.m.
--	---

☐ **Inspection of Premises:** **YOU ARE COMMANDED** to permit entry onto the designated premises, land, or other property possessed or controlled by you at the time, date, and location set forth below, so that the requesting party may inspect, measure, survey, photograph, test, or sample the property or any designated object or operation on it.

PLACE	DATE AND TIME
-------	---------------

The following provisions of Fed. R. Civ. P. 45, made applicable in bankruptcy cases by Fed. R. Bankr. P. 9016, are attached – Rule 45(c), relating to the place of compliance; Rule 45(d), relating to your protection as a person subject to a subpoena; and Rule 45(e) and 45(g), relating to your duty to respond to this subpoena and the potential consequences of not doing so.

Date: August 3, 2023

CLERK OF COURT

Signature of Clerk or Deputy Clerk

OR

/s/ Robert R. Kinas
Attorney's signature

The name, address, email address, and telephone number of the attorney representing Rep-Clark, LLC, who issues or requests this subpoena, are:

Robert R. Kinas, Esq., Snell & Wilmer L.L.P., 3883 Howard Hughes Parkway #1100, Las Vegas, NV 89169; Phone: (702) 784-5200; rkinas@swlaw.com

Notice to the person who issues or requests this subpoena

If this subpoena commands the production of documents, electronically stored information, or tangible things, or the inspection of premises before trial, a notice and a copy of this subpoena must be served on each party before it is served on the person to whom it is directed. Fed. R. Civ. P. 45(a)(4).

PROOF OF SERVICE

(This section should not be filed with the court unless required by Fed. R. Civ. P. 45.)

I received this subpoena for *(name of individual and title, if any)*: _____ on
(date) _____.

☐ I served the subpoena by delivering a copy to the named person as follows: _____

_____ on *(date)* _____; or

☐ I returned the subpoena unexecuted because: _____

Unless the subpoena was issued on behalf of the United States, or one of its officers or agents, I have also tendered to the witness the fees for one day's attendance, and the mileage allowed by law, in the amount of \$_____.

My fees are \$_____ for travel and \$_____ for services, for a total of \$_____.

I declare under penalty of perjury that this information is true and correct.

Date: _____

Server's signature

Printed name and title

Server's address

Additional information concerning attempted service, etc.:

Federal Rule of Civil Procedure 45(c), (d), (e), and (g) (Effective 12/1/13)
(made applicable in bankruptcy cases by Rule 9016, Federal Rules of Bankruptcy Procedure)

(c) Place of compliance.

(1) *For a Trial, Hearing, or Deposition.* A subpoena may command a person to attend a trial, hearing, or deposition only as follows:

- (A) within 100 miles of where the person resides, is employed, or regularly transacts business in person; or
- (B) within the state where the person resides, is employed, or regularly transacts business in person, if the person
 - (i) is a party or a party's officer; or
 - (ii) is commanded to attend a trial and would not incur substantial expense.

(2) *For Other Discovery.* A subpoena may command:

- (A) production of documents, or electronically stored information, or things at a place within 100 miles of where the person resides, is employed, or regularly transacts business in person; and
- (B) inspection of premises, at the premises to be inspected.

(d) Protecting a Person Subject to a Subpoena; Enforcement.

(1) *Avoiding Undue Burden or Expense; Sanctions.* A party or attorney responsible for issuing and serving a subpoena must take reasonable steps to avoid imposing undue burden or expense on a person subject to the subpoena. The court for the district where compliance is required must enforce this duty and impose an appropriate sanction – which may include lost earnings and reasonable attorney's fees – on a party or attorney who fails to comply.

(2) *Command to Produce Materials or Permit Inspection.*

(A) *Appearance Not Required.* A person commanded to produce documents, electronically stored information, or tangible things, or to permit the inspection of premises, need not appear in person at the place of production or inspection unless also commanded to appear for a deposition, hearing, or trial.

(B) *Objections.* A person commanded to produce documents or tangible things or to permit inspection may serve on the party or attorney designated in the subpoena a written objection to inspecting, copying, testing or sampling any or all of the materials or to inspecting the premises – or to producing electronically stored information in the form or forms requested. The objection must be served before the earlier of the time specified for compliance or 14 days after the subpoena is served. If an objection is made, the following rules apply:

- (i) At any time, on notice to the commanded person, the servicing party may move the court for the district where compliance is required for an order compelling production or inspection.
- (ii) These acts may be required only as directed in the order, and the order must protect a person who is neither a party nor a party's officer from significant expense resulting from compliance.

(3) *Quashing or Modifying a Subpoena.*

(A) *When Required.* On timely motion, the court for the district where compliance is required must quash or modify a subpoena that:

- (i) fails to allow a reasonable time to comply;
- (ii) requires a person to comply beyond the geographical limits specified in Rule 45(c);
- (iii) requires disclosure of privileged or other protected matter, if no exception or waiver applies; or
- (iv) subjects a person to undue burden.

(B) *When Permitted.* To protect a person subject to or affected by a subpoena, the court for the district where compliance is required may, on motion, quash or modify the subpoena if it requires:

- (i) disclosing a trade secret or other confidential research, development, or commercial information; or

- (ii) disclosing an unretained expert's opinion or information that does not describe specific occurrences in dispute and results from the expert's study that was not requested by a party.

(C) *Specifying Conditions as an Alternative.* In the circumstances described in Rule 45(d)(3)(B), the court may, instead of quashing or modifying a subpoena, order appearance or production under specified conditions if the serving party:

- (i) shows a substantial need for the testimony or material that cannot be otherwise met without undue hardship; and
- (ii) ensures that the subpoenaed person will be reasonably compensated.

(e) Duties in Responding to a Subpoena.

(1) *Producing Documents or Electronically Stored Information.* These procedures apply to producing documents or electronically stored information:

(A) *Documents.* A person responding to a subpoena to produce documents must produce them as they are kept in the ordinary course of business or must organize and label them to correspond to the categories in the demand.

(B) *Form for Producing Electronically Stored Information Not Specified.* If a subpoena does not specify a form for producing electronically stored information, the person responding must produce it in a form or forms in which it is ordinarily maintained or in a reasonably usable form or forms.

(C) *Electronically Stored Information Produced in Only One Form.* The person responding need not produce the same electronically stored information in more than one form.

(D) *Inaccessible Electronically Stored Information.* The person responding need not provide discovery of electronically stored information from sources that the person identifies as not reasonably accessible because of undue burden or cost. On motion to compel discovery or for a protective order, the person responding must show that the information is not reasonably accessible because of undue burden or cost. If that showing is made, the court may nonetheless order discovery from such sources if the requesting party shows good cause, considering the limitations of Rule 26(b)(2)(C). The court may specify conditions for the discovery.

(2) *Claiming Privilege or Protection.*

(A) *Information Withheld.* A person withholding subpoenaed information under a claim that it is privileged or subject to protection as trial-preparation material must:

- (i) expressly make the claim; and
- (ii) describe the nature of the withheld documents, communications, or tangible things in a manner that, without revealing information itself privileged or protected, will enable the parties to assess the claim.

(B) *Information Produced.* If information produced in response to a subpoena is subject to a claim of privilege or of protection as trial-preparation material, the person making the claim may notify any party that received the information of the claim and the basis for it. After being notified, a party must promptly return, sequester, or destroy the specified information and any copies it has; must not use or disclose the information until the claim is resolved; must take reasonable steps to retrieve the information if the party disclosed it before being notified; and may promptly present the information under seal to the court for the district where compliance is required for a determination of the claim. The person who produced the information must preserve the information until the claim is resolved.

...

(g) **Contempt.** The court for the district where compliance is required – and also, after a motion is transferred, the issuing court – may hold in contempt a person who, having been served, fails without adequate excuse to obey the subpoena or an order related to it.

EXHIBIT A (PROVINCE, LLC)

DEFINITIONS

1. “Bankruptcy Case” means *In re Cash Cloud, Inc. dba Coin Cloud*, United States Bankruptcy Court for the District of Nevada, Case No. 23-10423-mkn.
2. “Communication” or “communications” refer to both oral and written communications and means all conversations, presentations, discussions, speeches, meetings, telephone calls, documents, writings, electronic mailings or messages and all other means by which information, data, language, or documents are transmitted, passed, or otherwise conveyed from one or more persons or entities to one or more other persons or entities.
3. “Debtor” means Cash Cloud Inc. dba Coin Cloud.
4. “Document” or “documents” are used herein in their customary broad sense, and mean any kind of printed, recorded, written, graphic, or photographic matter (including tape recordings), however printed, produced, reproduced, coded or stored, of any kind of description, whether sent or received, or not, including originals, copies, reproductions, facsimiles, drafts, and both sides thereof, and including without limitation, papers, books, accounts, ledgers, journals, books or memoranda, telegrams, cables, wire transfers, notes, notations, work papers, inter and intra-office communications to, between or among directors, officers, agents or employees, transcripts, minutes, reports, and recordings of telephone or other conversations or of interviews or of conferences, or of committee meetings, or of other meetings, agreements, contracts, invoices, statistical records, data sheets, computer tapes or disks, magnetic tapes, punch cards, computer printouts, computer programs, computer program coding sheets, microfilms, microfiche, websites, all other records kept by electronic, photographic or mechanical means, and things similar to any of the foregoing, regardless of their author or origin, of any kind.
5. “Genesis” means Genesis Global Holdco, LLC.
6. “Person” means refers to any natural individual, governmental entity, or business entity, including a corporation, partnership, association, limited liability company, or other entity or combination thereof, and all corporations, divisions, or entities affiliated with, owned, or

controlled directly or indirectly or owning or controlling directly or indirectly any such entities as well as directors, officers, employees, agents, attorneys, affiliates, or other representatives thereof, or third parties retained by any of the above.

7. “Representative” means any and all agents, employees, officers, directors, attorneys, or other persons acting or purporting to act on behalf of the person or entity in question.

8. “Surcharge Analysis” is that certain document entitled “7.10.23 Coin Cloud – 506(c) Surcharge Analysis” sent on behalf of the Debtor to counsel for Genesis via email on July 10, 2023.

9. “Sale Proceeds Analysis” means that certain document entitled “7.26.23 Coin Cloud – Preliminary Sale Analysis vSHARE-C” sent on behalf of Debtor to counsel for Genesis via email on July 26, 2023.

10. “You” and “your” mean Province, LLC, including its employees, directors, officers, agents, subsidiaries, affiliates, parent company, and other persons acting on or purporting to act on its behalf, including its Representatives.

DOCUMENTS TO BE PRODUCED

1. Produce all Documents and Communications between You and any Person regarding the Surcharge Analysis.

2. Produce all Documents and Communications between You and any Person regarding the Sale Proceeds Analysis.

3. Produce all Documents relating to any assessment, evaluation, or analysis of any benefit (including as such term is used in section 506(c) of the United States Bankruptcy Code) obtained by Genesis as a result of the costs proposed to be surcharged as set forth in the Surcharge Analysis.

4. Produce all Documents relating to any assessment, evaluation, or analysis of any benefit (including as such term is used in section 506(c) of the United States Bankruptcy Code)

obtained by Genesis as a result of the costs proposed to be surcharged as set forth in the Sale Proceeds Analysis.

5. Produce all Documents relating to any assessment, evaluation, or analysis of the necessity of the costs proposed to be surcharged as set forth in the Surcharge Analysis.

6. Produce all Documents relating to any assessment, evaluation, or analysis of the necessity of the costs proposed to be surcharged as set forth in the Sale Proceeds Analysis.

7. Produce all Documents relating to any assessment, evaluation, or analysis of the reasonableness of the costs proposed to be surcharged as set forth in the Surcharge Analysis.

8. Produce all Documents relating to any assessment, evaluation, or analysis of the reasonableness of the costs proposed to be surcharged as set forth in the Sale Proceeds Analysis.

9. Produce all Documents relating to draft versions of the Surcharge Analysis, including Communications concerning any proposed revisions thereto.

10. Produce all Documents relating to draft versions of the Sale Proceeds Analysis, including Communications concerning any proposed revisions thereto.

11. Produce all Documents relating to the reasons for including a downward adjustment to the sale proceeds for adequate protection reserves in the Sale Proceeds Analysis.

EXHIBIT 4

EXHIBIT 4

E-filed: August 3, 2023

Robert R. Kinas (NV Bar No. 6019)
 Charles E. Gianelloni (NV Bar No. 12747)
 Alexis R. Wendl (NV Bar No. 15351)
 SNELL & WILMER L.L.P.
 3883 Howard Hughes Parkway, Suite 1100
 Las Vegas, NV 89169
 Telephone: (702) 784-5200
 Facsimile: (702) 784-5252
 Email: rkinas@swlaw.com
cgianelloni@swlaw.com
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Sean A. O'Neal (NY Bar No. 3979267)
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 Jane VanLare (NY Bar No. 4610655)
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 One Liberty Plaza
 New York, NY 10006
 Telephone: (212) 225-2000
 Facsimile: (212) 225-3999
 Email: soneal@cgsh.com
 Email: jvanlare@cgsh.com
 Email: mdweinberg@cgsh.com

Attorneys for Genesis Global Holdco, LLC

UNITED STATES BANKRUPTCY COURT

DISTRICT OF NEVADA

In re

CASH CLOUD, INC., dba COIN CLOUD,

Debtor.

Case No. 23-10423-mkn

Chapter 11

**GENESIS GLOBAL HOLDCO, LLC'S
 NOTICE OF DEPOSITION OF THE 30(b)(6)
 OF CASH CLOUD, INC., DBA COIN CLOUD**

Date of Deposition: August 22, 2023¹

Time of Deposition: 10:00 a.m.

TO ALL INTERESTED PARTIES AND THEIR RESPECTIVE COUNSEL:

PLEASE TAKE NOTICE that pursuant to Rule 30(b)(6) of the Federal Rules of Civil Procedure and Rule 7030 of the Federal Rules of Bankruptcy Procedure, Genesis Global Holdco,

¹ Or another date mutually acceptable to the relevant parties.

1 LLC (“Genesis”) will take the deposition of the Rule 30(b)(6) of Cash Cloud Inc., d/b/a Coin Cloud
 2 (“Debtor”) on **August 22, 2023 at 10:00 a.m.**, at the law offices of Shea Larsen, located at 1731
 3 Village Center Circle, Suite 150, Las Vegas, Nevada 89134, upon oral examination, before an
 4 officer authorized to administer oaths.² The deposition will be recorded by stenographic means
 5 and oral examination will continue from day-to-day until completed.

6 In accordance with its obligations under FRCP 30(b)(6), the Debtor shall produce a
 7 representative with knowledge and ability to testify regarding the topics below.

8 TOPICS FOR EXAMINATION

- 9 1. The sales and marketing process for the sale of substantially all of Debtor’s assets.
- 10 2. The preparation of (a) that certain document entitled “7.10.23 Coin Cloud – 506(c)
 11 Surcharge Analysis” sent on behalf of the Debtor to counsel for Genesis via email on July 10, 2023
 12 (“Surcharge Analysis”), (b) the *Declaration of Tanner James in Support of Motion for Entry of an*
 13 *Order Authorizing Debtor to Surcharge the Collateral of Genesis Global Holdco, LLC, Enigma*
 14 *Securities Limited, and AVT Nevada, L.P.* [ECF No. 927] (the “James Declaration”), and (c) that
 15 certain document entitled “7.26.23 Coin Cloud – Preliminary Sale Analysis vSHARE-C” sent on
 16 behalf of the Debtor to counsel for Genesis via email on July 26, 2023 (“Sale Proceeds Analysis”).
- 17 3. Any analysis, evaluation, or assessment of the necessity or reasonableness of the
 18 fees and costs proposed to be surcharged as set forth in the Surcharge Analysis, the Sale Proceeds
 19 Analysis, or the James Declaration.
- 20 4. Any analysis, evaluation, or assessment of the benefit obtained by Genesis as a result
 21 of the fees and costs proposed to be surcharged as set forth in the Surcharge Analysis, the Sale
 22 Proceeds Analysis, or the James Declaration.
- 23 5. The nature and amount of any fees and costs proposed to be surcharged as set forth
 24 in the Surcharge Analysis of the James Declaration.

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27 ² Genesis notices this deposition to take place currently with Enigma Securities Limited’s (“Enigma”) deposition of the Debtor scheduled to take place at the same time and date as indicated herein. See ECF
 28 954.

6. The reasons for a downward adjustment to sale proceeds for adequate protection reservation.

DATED this 3rd day of August 2023.

SNELL & WILMER L.L.P.

/s/ Robert R. Kinas

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EXHIBIT 5

EXHIBIT 5

E-filed: August 3, 2023

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Attorneys for Genesis Global Holdco, LLC

UNITED STATES BANKRUPTCY COURT

DISTRICT OF NEVADA

In re

CASH CLOUD, INC., dba COIN CLOUD,

Debtor.

Case No. 23-10423-mkn

Chapter 11

**GENESIS GLOBAL HOLDCO, LLC'S
 NOTICE OF DEPOSITION OF TANNER
 JAMES**

Date of Deposition: August 22, 2023¹

Time of Deposition: 10:00 a.m.

TO ALL INTERESTED PARTIES AND THEIR RESPECTIVE COUNSEL:

PLEASE TAKE NOTICE that, Genesis Global Holdco, LLC ("Genesis") will take the deposition of Tanner James ("Tanner James") on **August 22, 2023 at 10:00 a.m.**, at the law offices of Shea Larsen, located at 1731 Village Center Circle, Suite 150, Las Vegas, Nevada 89134, upon

¹ Or another date mutually acceptable to the relevant parties.

oral examination, before an officer authorized to administer oaths.² The deposition will be recorded by stenographic means and oral examination will continue from day-to-day until completed.

Genesis intends to question Mr. James on the topics listed below.

TOPICS FOR EXAMINATION

1. The sales and marketing process for the sale of substantially all of Debtor's assets.
2. The preparation of (a) that certain document entitled "7.10.23 Coin Cloud – 506(c) Surcharge Analysis" sent on behalf of the Debtor to counsel for Genesis via email on July 10, 2023 ("Surcharge Analysis"), (b) the *Declaration of Tanner James in Support of Motion for Entry of an Order Authorizing Debtor to Surcharge the Collateral of Genesis Global Holdco, LLC, Enigma Securities Limited, and AVT Nevada, L.P.* [ECF No. 927] (the "James Declaration"), and (c) that certain document entitled "7.26.23 Coin Cloud – Preliminary Sale Analysis vSHARE-C" sent on behalf of the Debtor to counsel for Genesis via email on July 26, 2023 ("Sale Proceeds Analysis").
3. Any analysis, evaluation, or assessment of the necessity or reasonableness of the fees and costs proposed to be surcharged as set forth in the Surcharge Analysis, the Sale Proceeds Analysis, or the James Declaration.
4. Any analysis, evaluation, or assessment of the benefit obtained by Genesis as a result of the fees and costs proposed to be surcharged as set forth in the Surcharge Analysis, the Sale Proceeds Analysis, or the James Declaration.
5. The nature and amount of any fees and costs proposed to be surcharged as set forth in the Surcharge Analysis of the James Declaration.

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² Genesis notices this deposition to take place currently with Enigma Securities Limited's ("Enigma") deposition of the Debtor scheduled to take place at the same time and date as indicated herein. *See* ECF 954.

6. The reasons for a downward adjustment to sale proceeds for adequate protection reservation.

DATED this 3rd day of August 2023.

SNELL & WILMER L.L.P.

/s/ Robert R. Kinas

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EXHIBIT 6

EXHIBIT 6

E-filed: August 3, 2023

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Attorneys for Genesis Global Holdco, LLC

UNITED STATES BANKRUPTCY COURT

DISTRICT OF NEVADA

In re

CASH CLOUD, INC., dba COIN CLOUD,

Debtor.

Case No. 23-10423-mkn

Chapter 11

**GENESIS GLOBAL HOLDCO, LLC'S
 NOTICE OF DEPOSITION OF THE 30(b)(6)
 OF PROVINCE LLC**

Date of Deposition: August 22, 2023¹

Time of Deposition: 10:00 a.m.

TO ALL INTERESTED PARTIES AND THEIR RESPECTIVE COUNSEL:

PLEASE TAKE NOTICE that pursuant to Rule 30(b)(6) of the Federal Rules of Civil Procedure and Rule 7030 of the Federal Rules of Bankruptcy Procedure, Genesis Global Holdco,

¹ Or another date mutually acceptable to the relevant parties.

1 LLC (“Genesis”) will take the deposition of the Rule 30(b)(6) of Province LLC (“Province”) on
 2 **August 22, 2023 at 10:00 a.m.**, at the law offices of Shea Larsen, located at 1731 Village Center
 3 Circle, Suite 150, Las Vegas, Nevada 89134, upon oral examination, before an officer authorized
 4 to administer oaths.² The deposition will be recorded by stenographic means and oral examination
 5 will continue from day-to-day until completed.

6 In accordance with its obligations under FRCP 30(b)(6), the Debtor shall produce a
 7 representative with knowledge and ability to testify regarding the topics below.

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- 23 5. The nature and amount of any fees and costs proposed to be surcharged as set forth
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27 ² Genesis notices this deposition to take place currently with Enigma Securities Limited’s (“Enigma”) deposition of the Debtor scheduled to take place at the same time and date as indicated herein. See ECF
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6. The reasons for a downward adjustment to sale proceeds for adequate protection reservation.

DATED this 3rd day of August 2023.

SNELL & WILMER L.L.P.

/s/ Robert R. Kinas

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